

H. B. No. 147, A bill to be entitled "An Act amending Article 974, Title 28 of the Revised Civil Statutes of Texas, 1925, to provide in cases of annexation of territory to a city, that owners of real property and qualified voters who had the right to vote for members of the State Legislature of any territory adjoining the limits of said city shall have the right to vote in said cases of annexation, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 666, A bill to be entitled "An Act making applicable and available to school districts and municipal corporations which have power to levy and/or collect their own taxes all of the provisions of Title 122, of the Revised Civil Statutes of Texas, of 1925, pertaining to the manner of assessment and collection of taxes and enforcement of collection of delinquent taxes together with all liens, rights and remedies therein given to the State and county and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations to whom was referred

H. B. No. 991, A bill to be entitled "An Act amending Sections 2, 3, 7 and 9, of Chapter 101, of the General and Special Laws of the First Called Session of the Forty-third Legislature, said Chapter providing for the creating of a fireman, policeman and fire alarm operators' Pension Fund in certain cities and towns having a paid fire, police and fire alarm operators' department, and

creating a board of trustees for the same and defining the duties and powers of the trustees thereof, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RAWLINGS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

H. B. No. 146, A bill to be entitled "An Act amending Article 1135, Title 28 of the Revised Civil Statutes of Texas, 1925, to provide that when a majority of the inhabitants, owners of real property and qualified voters of any territory adjoining the limits of any town or village, incorporated hereunder, shall vote in favor of becoming a part of said town or village, any three (3) of the said property owning, taxpaying, qualified, voters may make affidavit to such fact and file such affidavit with the mayor of said town or village, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

RAWLINGS, Chairman.

## FIFTY-SEVENTH DAY.

(Continued.)

Senate Chamber,

Austin, Texas,

May 4, 1935.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

### House Bill No. 65.

Pending business was H. B. No. 65.

### House Bill No. 846.

Motion to Reconsider.

Senator Woodruff moved to reconsider the vote by which H. B. No. 846 was finally passed.

The motion prevailed by viva voce vote.

Senator Woodruff sent up the following amendment:

Amend H. B. No. 846 by adding after the word "Stephens" wherever it appears in the caption or in the body of the bill the words "Parker and Cooke."

WOODRUFF.

Read and adopted.

H. B. No. 846 was finally passed by viva voce vote.

Motion to Set as Special Order.

Senator Woodruff moved to set as special order, Monday morning after the morning call:

H. B. No. 736, H. B. No. 89, H. B. No. 365 and H. B. No. 5, in the order in which they appear.

The motion prevailed by viva voce vote.

House Bill No. 65.

Pending business was H. B. No. 65 with committee amendments.

Senator Martin offered committee amendments No. 1 and No. 2 and moved their adoption.

At Ease.

On motion of Senator Oneal, the Senate stood at ease for five minutes.

House Bill No. 65.

Amend the Martin (committee amendment No. 1) by striking the words "this Act" and inserting in lieu thereof the words "Article No. 1'21 of the Revised Civil Statutes of Texas."

ONEAL.

Read and adopted.

Committee Amendment No. 1, as amended was adopted by viva voce vote.

Senator Hopkins sent up the following substitute for Committee Amendment No. 2:

Amend H. B. No. 65, Section 1, in line 52, between the words "regulations" and "The" by inserting the following sentence:

"Provided however, such utilities shall have the right to enter into private contracts to furnish service and/or commodities to industries at such rates as may be agreed upon between the utility and the industry, but shall not have the right to fix a rate or rates for industrial purposes that will result in an increase of domestic rates."

HOPKINS.

Read and pending.

Senator Oneal had the floor on discussion of the amendment.

Senator Oneal yielded to Senator Beck for a motion which would not take him off the floor.

Motion to Recess.

Senator Beck, at 12 o'clock noon, moved that the Senate recess until 10 o'clock a. m., Monday.

Motion pending.

Senate Bill No. 528.

Senator Hornsby received unanimous consent to suspend the regular order to take up S. B. No. 528.

The Chair laid before the Senate on its second reading the following bill:

By Senator Hornsby:

S. B. No. 528, A bill to be entitled "An Act providing for an additional assistant district attorney for the 53rd Judicial District of Texas, prescribing his qualifications who shall be authorized to perform any official act devolving upon or authorized to be performed by the district attorney of such district, requiring him to take the oath of office, and who shall hold office subject to the will of the district attorney, making an appropriation for his salary for the ensuing biennium, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 528 was put on its third reading and final passage by the following vote:

Yeas—29.

|           |             |
|-----------|-------------|
| Beck.     | Oneal.      |
| Blackert. | Pace.       |
| Burns.    | Poage.      |
| Collie.   | Rawlings.   |
| Cotten.   | Redditt.    |
| DeBerry.  | Regan.      |
| Duggan.   | Sanderford. |
| Hill.     | Shivers.    |
| Holbrook. | Small.      |
| Hopkins.  | Stone.      |
| Hornsby.  | Sulak.      |
| Isbell.   | Van Zandt.  |
| Martin.   | Westerfeld. |
| Moore.    | Woodruff.   |
| Neal.     |             |

## Absent—Excused.

Davis. Fellbaum.

Read third time and finally passed by the following vote:

## Yeas—29.

|           |             |
|-----------|-------------|
| Beck.     | Oneal.      |
| Blackert. | Pace.       |
| Burns.    | Poage.      |
| Collie.   | Rawlings.   |
| Cotten.   | Redditt.    |
| DeBerry.  | Regan.      |
| Duggan.   | Sanderford. |
| Hill.     | Shivers.    |
| Holbrook. | Small.      |
| Hopkins.  | Stone.      |
| Hornsby.  | Sulak.      |
| Isbell.   | Van Zandt.  |
| Martin.   | Westerfeld. |
| Moore.    | Woodruff.   |
| Neal.     |             |

## Absent—Excused.

Davis. Fellbaum.

## Senate Bill No. 369.

## Privileged Motion.

Senator Redditt sent up the following conference committee report on S. B. No. 369 and moved its adoption.

## Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your Conference Com-

mittee, appointed to adjust the differences between the two Houses on Senate Bill No. 369, beg to recommend that said bill be passed in the form and text as submitted herewith.

REDDITT,  
PACE,  
HOLBROOK,  
MOORE,  
REGAN,

On the part of the Senate.

McKINNEY,  
GLASS,  
HILL,  
HERZIK,  
ROANE,

On the part of the House.

S. B. No. 369.

## A BILL

to be entitled

An Act making appropriation of certain sums of money, or so much thereof as may be necessary, out of the General Revenue Fund to pay taxes due by the State to certain independent school districts, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The several sums of money hereinafter indicated, or so much thereof as may be necessary, are hereby appropriated out of the General Revenue Fund for the purpose of paying taxes due by the State to the several respective independent school districts named herein, as follows:

| Name of School District               | Years for which taxes are due | Amount       |
|---------------------------------------|-------------------------------|--------------|
| Sugarland Independent School District | 1918 to 1927, inclusive       | \$ 6,148.80  |
| Richmond Independent School District  | 1921 to 1929, inclusive       | 4,420.75     |
| Maydelle Independent School District  | 1934                          | 150.00       |
| Rusk Independent School District      | 1925 to 1930, inclusive       | 2,665.00     |
| Total                                 |                               | \$ 13,384.55 |

Section 2. The fact that all of these taxes under existing Statutes of the State are now long past due and that no appropriation for the payment has been made heretofore by the Legislature, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on

three several days in each House be suspended and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The Conference Committee report was adopted by the following vote:

## Yeas—28.

|           |             |
|-----------|-------------|
| Beck.     | Oneal.      |
| Blackert. | Pace.       |
| Burns.    | Poage.      |
| Collie.   | Rawlings.   |
| Cotten.   | Redditt.    |
| Duggan.   | Regan.      |
| Hill.     | Sanderford. |
| Holbrook. | Shivers.    |
| Hopkins.  | Small.      |
| Hornsby.  | Stone.      |
| Isbell.   | Sulak.      |
| Martin.   | Van Zandt.  |
| Moore.    | Westerfeld. |
| Neal.     | Woodruff.   |

## Nays—1.

DeBerry.

Absent—Excused.

Davis.

Fellbaum.

## House Bill No. 407.

## Conference Committee Appointed.

The Chair appointed the following conferees on the part of the Senate on H. B. No. 407:

Senators Shivers, Beck, Burns, Hopkins and Isbell.

## H. C. R. No. 111.

The Chair laid before the Senate:  
By Mr. Quinn and Mr. Roark.

Authorizing the Enrolling Clerk of the House to insert a corrective amendment to H. B. No. 558 by adding the words "one of" in Sec. 2 of said bill after the word "in" in line 2 in order to make Sec. 2 conform with the caption and Sec. 1 of the bill.

Senator Shivers moved that the rule requiring resolutions to be referred to a committee be suspended, and that H. C. R. No. 111 be taken up and considered at this time. The motion prevailed.

H. C. R. No. 111 was adopted by viva voce vote.

## Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,  
Austin, Texas, May 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

S. C. R. No. 51, Memorializing Congress to remove the Federal Gasoline Tax.

H. C. R. No. 101, Granting Joseph V. Frnka permission to sue the State of Texas and/or the Highway Department for damages to real property.

H. C. R. No. 109, Memorializing Congress to provide for the classification of cotton by the Federal Department of Agriculture.

The House has concurred in Senate amendments to House Bill No. 439 by a viva voce vote.

The House has concurred in Senate amendments to House Bill No. 820, by a vote of 104 yeas, 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, May 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 111, Instructing the Enrolling Clerk of the House to make certain corrections in H. B. No. 558.

The House has concurred in Senate amendments to House Bill No. 201 by a viva voce vote.

The House has concurred in Senate amendments to House Bill No. 832 by a vote of 109 yeas, 0 nays.

The House has concurred in Senate amendments to House Bill No. 642 by a vote of 108 yeas, 0 nays.

The House has concurred in Senate amendments to House Bill No. 730 by a vote of 104 yeas, 0 nays.

The House has concurred in Senate amendments to House Bill No. 846 by a viva voce vote.

The House has concurred in Senate amendments to House Bill No. 897 by a vote of 109 yeas, 0 nays.

The House has concurred in Senate amendments to House Bill No. 902 by a vote of 105 yeas, 0 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, May 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to House Bill No. 674.

and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following are appointed on the part of the House, with instructions not to exceed \$50,000 on the appropriation:

Messrs. Adamson, Lotief, Jones of Wise, Crossley, and Waggoner.

The House has concurred in Senate amendments to House Bill No. 978 by a vote of 82 yeas, 23 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Resolutions Referred.

H. J. R. No. 46 was referred to the Committee on Constitutional Amendments.

H. C. R. No. 101 was referred to the Committee on State Affairs.

H. C. R. No. 109 was referred to the Committee on Agriculture.

#### Bills and Resolutions Signed.

The Chair, Lieutenant Governor Walter F. Woodul gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

|                   |                  |
|-------------------|------------------|
| S. J. R. No. 3.   | H. B. No. 975.   |
| S. J. R. No. 3-A. | H. B. No. 912.   |
| H. B. No. 4.      | H. B. No. 270.   |
| H. B. No. 608.    | H. B. No. 743.   |
| H. B. No. 469.    | H. B. No. 735.   |
| H. B. No. 841.    | H. B. No. 936.   |
| H. B. No. 496.    | H. B. No. 166.   |
| H. B. No. 911.    | S. J. R. No. 14. |
| H. B. No. 578.    |                  |

Senator Beck withdrew his motion to recess.

#### Motion to Recess.

Senator Van Zandt at 12:15 o'clock p. m. moved that the Senate recess until 2:30 o'clock p. m. today.

Motion pending.

Senator Rawlings moved that the Senate recess until 10 o'clock a. m. Monday.

Motion pending.

Senator DeBerry called for the roll call on the motion to recess.

#### Recess.

The motion to recess until 10 a. m. Monday prevailed by the following vote:

#### Yeas—16.

|           |             |
|-----------|-------------|
| Beck.     | Neal.       |
| Cotten.   | Rawlings.   |
| Duggan.   | Redditt.    |
| Holbrook. | Regan.      |
| Hopkins.  | Sanderford. |
| Hornsby.  | Shivers.    |
| Isbell.   | Small.      |
| Moore.    | Westerfeld. |

#### Nays—12.

|          |            |
|----------|------------|
| Burns.   | Face.      |
| Collie.  | Poage.     |
| DeBerry. | Stone.     |
| Hill.    | Sulak.     |
| Martin.  | Van Zandt. |
| Oneal.   | Woodruff.  |

#### Absent—Excused.

|           |           |
|-----------|-----------|
| Blackert. | Fellbaum. |
| Davis.    |           |

#### APPENDIX.

##### Committee on Engrossed Bills.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 477 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 40 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 66 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, May 3, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 469 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 486  
carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. C. R. No.  
34 carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 201  
carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 153  
carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 504  
carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 485  
carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 429

carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 509  
carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 523  
carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 447  
carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

Austin, Texas, May 4, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
grossed Bills, have had S. B. No. 528  
carefully examined and compared  
and find same correctly engrossed.

DAVIS, Chairman.

#### Committee on Enrolled Bills.

Committee Room,  
Austin, Texas, May 4, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. C. R. No. 51  
carefully examined and compared  
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. J. R. No. 14  
carefully examined and compared  
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,  
Austin, Texas, May 1, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. J. R. No. 3  
carefully examined and compared  
and find same correctly enrolled.

POAGE, Chairman.

Committee Room,  
Austin, Texas, May 1, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on En-  
rolled Bills, have had S. J. R. No. 3-a  
carefully examined and compared  
and find same correctly enrolled.

POAGE, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, May 4, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on Pub-  
lic Lands and Land Office, to whom  
was referred

H. B. No. 28, A bill to be entitled  
"An Act to dedicate to the Perma-  
nent School Fund all moneys derived  
from the sale of minerals in river  
beds, and from the sale of mineral  
leases on such areas and royalties  
therefrom, and creating an emer-  
gency."

Have had the same under con-  
sideration, and I am instructed to  
report it back to the Senate with the  
recommendation that it do pass.

REGAN, Chairman.

Committee Room,  
Austin, Texas, May 4, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on State  
Affairs, to whom was referred

S. B. No. 232, A bill to be entitled  
"An Act to provide for the appoint-  
ment and qualification of notaries  
public, state-at-large; etc., and de-  
claring an emergency."

Have had the same under con-  
sideration, and I am instructed to  
report it back to the Senate with the  
recommendation that it do pass as  
amended and be not printed.

PACE, Chairman.

#### Committee Amendment.

Amend Senate Bill No. 232 by in-  
serting after the word "public" at  
the end of Section 1, the following:

"Official, certified Court Report-  
ers shall be ex-officio notaries public,  
state-at-large, with the same au-  
thority and obligations as those no-  
taries public specified in this Act."

Amend the caption of this bill to  
conform hereto.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on Min-  
ing, Irrigation and Drainage, to  
whom was referred

H. B. No. 823, A bill to be entitled  
"An Act amending Article 7725, Re-  
vised Civil Statutes of the State of  
Texas, 1925, by adding thereto Sec-  
tion 7725-a; providing a method by  
which water improvement districts,  
upon their dissolution, shall pay  
their indebtedness by having same  
prorated against the lands lying  
within such districts in accordance  
with the assessed valuations of such  
lands on the county tax rolls, etc.,  
and declaring an emergency."

Have had the same under con-  
sideration, and I am instructed to  
report it back to the Senate with  
the recommendation that it do pass.

REGAN, Chairman.

Committee Room,  
Austin, Texas, May 3, 1935.  
Hon. Walter F. Woodul, President of  
the Senate.

Sir: We, your Committee on High-  
ways and Motor Traffic, to whom was  
referred.

H. B. No. 796, A bill to be entitled  
"An Act amending Section 9, of  
Chapter 42, General Laws of the  
State of Texas, Second Called Ses-  
sion of the Forty-first Legislature, as  
amended by Section 10, of Chapter  
282, Regular Session of the Forty-  
second Legislature, General Laws, by  
adding a new section to be known as  
Section 9-a; providing a penalty, and  
declaring an emergency."

Have had the same under con-  
sideration, and I am instructed to  
report it back to the Senate with the  
recommendation that it do pass with  
committee amendments and be  
printed.

HOPKINS, Chairman.

#### Committee Amendment No. 1.

Amend House Bill No. 796 by  
striking out the paragraph desig-

nated as "Section 9-a. Flares." of Section 1 of the original bill, and substitute in lieu thereof the following:

"Sec. 9-a. Flares. Whenever any commercial motor vehicle, truck-tractor, trailer or semi-trailer, or motor bus, or any vehicle equipped with a crane or lifting device ordinarily referred to as a 'wrecker,' shall, during the period from one-half hour after sunset to one-half hour before sunrise, and at any other time when there is not sufficient light to render clearly discernible any person on the highway at a distance of two hundred (200) feet, be stopped upon the main traveled portion of any highway in this State for as long as fifteen (15) minutes, the driver or operator thereof shall place a lighted flare upon the highway on the roadway side of such vehicle and one such flare shall be placed at a distance of not less than one hundred fifty (150) feet nor more than two hundred (200) feet from such parked vehicle, near the edge of the roadway in every direction from which a vehicle may approach, such lighted flare to admit light of sufficient intensity to be plainly observed as a signal to the driver of any approaching vehicle for a distance of five hundred (500) feet."

Committee Amendment No. 2.

Amend House Bill No. 796 by making the caption conform to the body of the bill.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 591, A bill to be entitled "An Act providing for the sale of State property purchased from funds appropriated to the State Game, Fish and Oyster Commission; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, May 4, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 853, A bill to be entitled "An Act repealing Section 11 of Article 7152, Title 122, of the Revised Civil Statutes of Texas, of 1925, adopted at the Regular Session of the Thirty-ninth Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

FIFTY-SEVENTH DAY.

(Continued.)

Senate Chamber,

Austin, Texas,

May 6, 1935.

The Senate met at 10 a. m., pursuant to recess, and was called to order by Lieutenant Governor Walter F. Woodul.

House Bill No. 65.

Pending business was H. B. No. 65, with pending substitute by Senator Hopkins, for Committee Amendment No. 2.

Senator Westerfeld sent up the following amendment:

Amend H. B. No. 65, Hopkins substitute amendment, by adding the following:

"Provided, where a gas or electric company sells gas or electricity to a distributing company in any city or town, the distributing company shall not sell said gas or electricity below the price paid by said distributing company for said products."

WESTERFELD.

Read.

Motion to Table.

Senator Hopkins moved to table the amendment by Senator Westerfeld.

The motion to table lost by the following vote: